APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,219	01/15/2002	David Carroll Challener	RPS920010114US1	5782

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EXAMINER
PATEL, ANAND B

ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/047,219	CHALLENER ET AL.
	Examiner	Art Unit	
	Anand Patel	2116	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 June 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-15_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. Amendment filed 6/21/05 has been entered and as such claims 1 and 9 are amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3. Claims 1-2, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No

5379342 to Arnold et al (Arnold), in view of US Patent No 6141730 to Nishiumi et al

(Nishiumi), Trusted Computing Platform Alliance Main Specification V1.1 (TCPA

Specification), and US Patent No 6212555 to Brooks, Jr. et al (Brooks).

- As per claim 1, Arnold teaches a computer system comprising:

    - A processor (figure 3, item 300);

    - Input means for receiving input from a user (figure 1, item 112);

    - A display device for providing visual output from the operating system to the user

      (figure 1, item 106);

    - A system bus connecting the processor to the display device and the input means

      (column 3, lines 19-20);

    - Machine readable storage media coupled to the system bus for storing programs

      performable by the processor (figure 3, item 108), including a boot block for loading an

      operating system for the computer system (column 4, lines 4-7).

Arnold fails to disclose a feature card. Nishiumi teaches a disk (40) with memory storage media for a second boot block for loading an operating system for the computer (40b) and security code within said memory storage media for measuring compliance of the second boot block when enabled (40a). An advantage of the system taught by Nishiumi is the ability to provide a flexible system that can perform functions according to connecting conditions of storage media (column 1, lines 25-28). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Arnold with Nishiumi. Motivation to modify is to have a system that can process information adaptive to the media connected to it.

Nishiumi fails to disclose a feature card and TCPA compliance. TCPA Specification teaches compliance with the Trusted Computing Platform Alliance specification (pages 4-5). An advantage of the teachings of TCPA Specification is the ability to provide security capabilities at a low cost (2.1). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Arnold and Nishiumi with TCPA Specification. Motivation to modify is to provide a secure system at a low cost.

TCPA Specification fails to disclose a feature card. Brooks teaches a diskette as an art-related equivalent of a feature card (column 2, lines 10-15). An advantage of using a diskette as a feature card is its mobility. Thus it would have been obvious to one of ordinary skill in the art at the time of invention to modify Arnold, Nishiumi, and TCPA Specification with Brooks. Motivation to use a diskette in place of the feature card is its mobility.

- As per claim 2, Arnold discloses a computer system further including a connector for connecting the feature card to the system bus (figure 3, item 316).

- As per claim 9, Arnold discloses a computer system comprising:

  - A processor located on a system planar (figure 3, item 300);

  - Input means for receiving input from a user (figure 1, item 112);

  - A display device for providing visual output from the software applications to the user (figure 1, item 106);

  - A system bus connecting the processor to the display device and the input means (figure 3, item 322);

  - Machine readable storage media located on the system planar with the processor and coupled to the system bus for storing programs performable by the processor (figure 3, item 108);

  - An interface adapter for transferring input from the user at the input means to the system bus (It is inherent that a computer system having input means such as a keyboard and a mouse would have an adapter for taking the input received at the input means and transferring it to the system bus.);

  - A connector for connecting the feature card to the system bus (314).

  Arnold fails to disclose a feature card. Nishiumi teaches a disk (40) with memory storage media for a second boot block for loading an operating system for the computer (40b) and security code within said memory storage media for measuring compliance of the second boot block when enabled (40a).

Nishiumi fails to disclose a feature card and TCPA compliance. TCPA Specification

teaches compliance with the Trusted Computing Platform Alliance specification (pages

4-5).

TCPA Specification fails to disclose a feature card. Brooks teaches a diskette as an art-

related equivalent of a feature card (column 2, lines 10-15).

4. Claims 3-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold, in view

of Nishiumi, TCPA Specification, Brooks, and US Patent No 5410699 to Bealkowski et al

(Bealkowski).

- As per claim 3, Arnold, Nishiumi, TCPA Specification, and Brooks do not disclose a

    switching mechanism. Bealkowski teaches a switch mechanism for indicating which of the

    boot blocks is to load an operating system for the computer system (column 7, lines 34-36).

    It would have been obvious to one of ordinary skill in the art at the time of invention to

    modify Arnold, Nishiumi, TCPA Specification, and Brooks with Bealkowski. Motivation to

    modify is the ability to selectively choose a boot path based on the status of a fixed disk. For

    example if the hard disk drive is damaged, the system will boot from a diskette (column 2,

    lines 64-66).

- As per claim 4, Bealkowski discloses a computer system wherein the switch mechanism

    includes a control switch (figure 6a, item 151).

- As per claim 5, Bealkowski teaches a computer system wherein the control switch

    activates the second boot block when the feature card is enabled (column 11, lines 1-2; figure

    6a, items 151, 153).

- As per claim 6, Bealkowski teaches a computer system wherein the control switch activates the boot block in the machine storage media when the feature card is disabled (column 11, lines 14-17; figure 6a, items 151, 150).

- As per claim 7, Bealkowski teaches a system that is susceptible to a system reset (column 7, lines 48-50), and the feature card includes logic responsive to the switch mechanism for inhibiting operation of the feature card if the boot block in the machine readable storage media is enabled (column 10, lines 28-32; Booting from the fixed disk is always enabled in the non-priority and non-recovery modes. Thus the IBL selects the boot program from the fixed disk and loading of the boot program from the feature card is inhibited.).

- As per claim 8, Bealkowski discloses a computer system further including a latch mechanism for storing output of the switch mechanism indicating which of the boot blocks is to load an operating system for the computer system (column 5, lines 61-63). The NVRAM is used to store system configuration data. Since configuration data regarding the boot scheme would also be included in the general set of system configuration data, the reference reads on this limitation.

- As per claim 10, Bealkowski discloses a switch mechanism for indicating which of the boot blocks is to load an operating system for the computer system (column 7, lines 34-36).

- As per claim 11, Bealkowski discloses a computer system wherein the switch mechanism includes a control switch (figure 6a, item 151).

- As per claim 12, Bealkowski teaches a computer system wherein the control switch activates the second boot block when the feature card is enabled (column 11, lines 1-2; figure 6a, items 151, 153).

- As per claim 13, Bealkowski teaches a computer system wherein the control switch

activates the boot block in the machine storage media when the feature card is disabled

(column 11, lines 14-17; figure 6a, items 151, 150).

- As per claim 14, Bealkowski teaches a system that is susceptible to a system reset

(column 7, lines 48-50), and the feature card includes logic responsive to the switch

mechanism for inhibiting operation of the feature card if the boot block in the machine

readable storage media is enabled (column 10, lines 28-32; Booting from the fixed disk is

always enabled in the non-priority and non-recovery modes. Thus the IBL selects the boot

program from the fixed disk and loading of the boot program from the feature card is

inhibited.).

- As per claim 15, Bealkowski discloses a computer system further including a latch

mechanism for storing output of the switch mechanism indicating which of the boot blocks is

to load an operating system for the computer system (column 5, lines 61-63).

The NVRAM is used to store system configuration data. Since configuration data regarding

the boot scheme would also be included in the general set of system configuration data, the

reference reads on this limitation.

Response to Arguments

5. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view

of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anand Patel whose telephone number is (571) 272-7211. The examiner can normally be reached on Mon-Fri 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ABP

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